In the claims

1. (Currently Amended) A method of monitoring the availability of Internet access via xDSL service, comprising the steps of:

(a) sending a request from a user computer via xDSL service to which a response is expected, the user computer being connected via ~~a router~~ the xDSL service to a network to which the request is sent;

(b) determining if a response has been received; and

(c) if no response has been received, displaying a message on the user computer indicating that xDSL is out of service and displaying a message prompting the user to select whether to connect to the network via a dial-up modem.

2. (Previously Presented) The method of claim 1, further comprising changing a default modem setting from an xDSL modem to a dial-up modem.

3. (Previously Presented) The method of claim 2, further comprising connecting to the Internet via the dial-up modem.

4. (Original) The method of claim 1, further comprising repeatedly sending the request.

5. (Original) The method of claim 4, wherein a successive request is sent after a delay of a predetermined amount of time.

6. (Original) The method of claim 5, wherein the predetermined amount of time is in the range of 1 to 10 minutes.

7. (Previously Presented) The method of claim 1, further comprising displaying a message on the user computer indicating that xDSL service has been restored when a response to the request is received after a response to a previous request was not received.

8. (Original) The method of claim 1, wherein the request is a ping command.

9. (Previously Presented) The method of claim 1, wherein the request is directed to a server operated by an xDSL service provider, the server being connected to the network.

10. (Previously Presented) The method of claim 1, wherein the steps are carried out by an applet running on a the user computer.

11. (Previously Presented) The method of claim 10, wherein the applet is at least one of saved in firmware and saved on a hard drive of the user computer.

12. (Previously Presented) The method of claim 10, wherein the applet is automatically launched when the user computer is booted.

13. (Original) The method of claim 10, wherein the applet is operative as an active program in a multi-tasking operating system.

14. (Original) The method of claim 1, further comprising monitoring dial-up modem connectivity to the Internet and determining therefrom whether xDSL service has failed.

15. (Currently Amended) A method of notifying an end user that the user's xDSL service has failed, comprising the steps of:

(a) periodically sending from the end user's computer, via xDSL, a request to which a response is expected;

(b) determining if the response has been received;

(c) if the response has been received, sending a subsequent request after a predetermined delay; and

(d) if no response has been received, notifying the end user that his xDSL service has failed and automatically offering to the end user the option of employing dial-up

modem service by displaying a message prompting the end user to select whether to connect via a dial-up connection.

16. (Original) The method of claim 15, wherein the request is a ping command.

17. (Original) The method of claim 16, wherein the ping command is directed to a server belonging to the xDSL service provider.

18. (Original) The method of claim 15, wherein the delay is in the range of 1 to 10 minutes.

19. (Previously Presented) The method of claim 15, wherein step (d) comprises displaying a dialogue box on the end user's computer.

20. (Currently Amended) The method of claim 19, wherein the dialogue box includes buttons that the end user clicks to select whether to use the dial-up modem connection.

21. (Previously Presented) The method of claim 15, further comprising displaying a message on the end user's computer indicating that xDSL service has been restored when a response to a current request is received after a response to a previous request was not received.

22. (Previously Presented) The method of claim 15, wherein steps (a)- (d) are implemented in software that is operable on the end user's computer.

23. (Previously Presented) The method of claim 15, further comprising detecting if the end user uses dial-up service and associating such an event with a failure of xDSL service.

24. (Currently Amended) A method of monitoring the status of xDSL service by a service provider, comprising the steps of:

(a) sending from a user computer via xDSL service a request to which a response is expected;

(b) determining if a response has been received;

(c) if a response has not been received, establishing a connection from the user computer to a server of the service provider via dial-up modem;

(d) monitoring by the service provider the connection via dial-up modem and determining the user's account information including whether the user is an xDSL service subscriber or customer; and

(e) if the user is an xDSL service subscriber or customer, concluding by the service provider that xDSL service has failed and issuing by the service provider a trouble ticket requesting repair of the xDSL service.

25. (Canceled)

26. (Original) The method of claim 24, further comprising generating and sending an email to the user informing the user that an xDSL service failure has been detected and is being corrected.

27. (Currently amended) The method of claim [[25]] 24, further comprising storing a plurality of trouble tickets.

28. (Original) The method of claim 27, further comprising subjecting the trouble tickets to a data mining process.

29. (Original) The method of claim 24, wherein the request is a ping command.

30. (Previously Presented) The method of claim 24, wherein software running on the user computer executes at least steps (a)- (c).

31. (Original) The method of claim 24, wherein a plurality of requests are sent, each being sent after a predetermined delay.

32. (Original) The method of claim 24, further comprising notifying the user when xDSL service has been restored.

33. (Currently Amended) In an electronic network including a user computer and a server, the user computer being in communication with the server via xDSL service or dial-up modem and xDSL service being the default mode of communication between the user computer and the server, a method of maintaining communication with the server, comprising the steps of:

(a) sending a request from the user computer through ~~a router~~ the electronic network to the server via xDSL service to which the server should respond;

(b) determining if a response has been received;

(c) if no response has been received, displaying on the user computer a message (i) indicating that xDSL service has failed and (ii) offering to establish communication between the user computer and the server via dial-up mode by prompting an end user of the computer to select whether to use a dial-up modem connection; and

(d) changing the default mode of communication between the user computer and the server to dial-up modern when the end user selects to use the dial-up modem connection.

34. (Currently Amended) The method of claim 33, further comprising automatically establishing communication via dial-up modem in response to the end user selecting to use the dial-up modem connection.

35. (Previously Presented) The method of claim 33, further comprising changing the default mode of communication back to xDSL service after a dial-up session is complete.

36. (Original) The method of claim 33, wherein the request is a ping command.

37. (Original) The method of claim 35, further comprising displaying a message on the user computer indicating that xDSL service has been restored.

38. (Original) The method of claim 33, wherein a plurality of requests are sent, each request being sent after a predetermined delay.

39. (Currently Amended) A monitoring system for xDSL service, comprising:

a user computer;

a dial-up modem in communication with the user computer;

an xDSL modem in communication with the user computer; and

an applet operable on the user computer within a multi-tasking operating system, the applet being operable to (a) periodically send, via the xDSL modem, a request to which a response is expected, (b) determine if the response has been received, (c) send a subsequent request after a predetermined delay if the response has been received, and (d) display a message on the user computer (i) indicating that xDSL service has failed and (ii) automatically offering an option of employing dial-up modem service if no response has been received by prompting the user to select whether to use a dial-up modem connection.

40. (Previously Presented) The monitoring system of claim 39, wherein a default configuration of the user computer is to employ the xDSL modem.

41. (Previously Presented) The monitoring system of claim 40, wherein the default configuration of the user computer is changed to employ the dial-up modem.

42. (Original) The monitoring system of claim 39, wherein the request is a ping command.

43. (Original) The monitoring system of claim 42, wherein the ping command is directed to a server belonging to an xDSL service provider.

44. (Previously Presented) The monitoring system of claim 39, wherein the applet is at least one of saved in firmware and saved on a hard drive of the user computer.

45. (Previously Presented) The monitoring system of claim 39, wherein the applet is operable to display a message on the user computer indicating that xDSL service has been restored.